

## REMARKS

This application has been carefully reviewed in light of the Office Action dated February 6, 2009. Claims 1, 4 to 7, 10 to 13, 16, 17 and 18 remain in the application, with Claims 19 to 22 and 25 having been cancelled herein. Claims 1, 7 and 13 are the independent claims. Reconsideration and further examination are respectfully requested.

Claims 1, 4 to 7, 10 to 13 and 16 to 18 were rejected under 35 U.S.C. § 112, second paragraph. The claims have been amended giving due consideration to the points noted in the Office Action. Reconsideration and withdrawal of the rejections are respectfully requested.

Claims 1, 4, 7, 10, 13 and 16 were rejected under 35 U.S.C. § 103(a) over U.S. Publication No. 2004/0057568 (Kawabata) in view of "SIP Demystified" (Camarillo) and further in view of U.S. Publication No. 2003/0154383 (Brown), Claims 5, 11 and 17 were rejected under § 103(a) over Kawabata in view of Camarillo, U.S. Patent No. 7,133,899 (Rowe), "DSL for Dummies" (Angell) and Brown, Claims 6, 12 and 18 were rejected under § 103(a) over Kawabata in view of Camarillo, "RFC 3261 - SIP: Session Initiation Protocol" (Rosenberg) and Brown, Claims 19, 20 and 25 were rejected under § 103(a) over Kawabata in view of Camarillo, U.S. Patent No. 6,209,048 (Wolff) and Brown, and Claims 21 and 22 were rejected under § 103(a) over Kawabata in view of Camarillo, Wolff, U.S. Publication No. 2003/0028892 (Gewickey) and Brown. Reconsideration and withdrawal of the rejections are respectfully requested.

The invention generally relates to transmitting image data between devices in a VoIP network. In the invention, when a telephone number of the destination is input, an IP address of the destination device is obtained. Then, if the destination device is able

to transmit/receive communication data on an IP network via a predetermined file transmit/receive protocol, the image data is transmitted via an IP network connecting means to the IP address. On the other hand, if the destination is not able to transmit/receive communication data on the IP network based on the predetermined protocol, then a facsimile transmission is started and the facsimile data is converted into VoIP data and the converted VoIP data is transmitted via the IP network to the destination device.

Referring specifically to the claims, amended independent Claim 1 is directed to a communication apparatus which includes IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, comprising IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station, facsimile communication means for performing facsimile communication on a line switching network, converting means for converting a signal that the facsimile communication means transmits/receives into VoIP (Voice over Internet Protocol) data on an IP network, IP network connecting means for connecting to the IP network, and control means for controlling to, if the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol, via the IP network connecting means, using the obtained IP address of the destination station, in response to the acquirement of the IP address by the IP address obtaining means, and if the destination station is not able to transmit/receive

communication data on the IP network based on the predetermined file transmit/receive protocol, cause the facsimile communication means to start transmission/reception of image data to/from the destination station, causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Claims 7 and 13 are method and computer medium claims, respectively, that substantially correspond to Claim 1.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 7 and 13, and in particular, is not seen to disclose or to suggest at least the features of a control unit/step that, if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, causes the facsimile communication means to start transmission/reception of image data to/from the destination station, and causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Kawabata is seen to disclose that a communication terminal analyzes a destination number which is assigned to a destination terminal input at the time of origination of a call. Based on the analysis, a call is either automatically originated over an IP network or over a public network. However, Kawabata is not seen to teach at least the

features of a control unit/step that, if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, causes the facsimile communication means to start transmission/reception of image data to/from the destination station, and causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Camarillo is merely seen to provide a simplified explanation of the SIP protocol used in IP network communications. However, Camarillo is not seen to teach anything that, when combined with Kawabata, would have resulted in at least the features of a control unit/step that, if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, causes the facsimile communication means to start transmission/reception of image data to/from the destination station, and causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

Brown is merely seen to disclose a system for switching the stream of data from a source, in which a plurality of switches are arranged and the data is duplicated for the switch so that two or more terminals can access the data at the same time. However, Brown is not seen to teach anything that, when combined with Kawabata and Camarillo,

would have resulted in at least the features of a control unit/step that, if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, causes the facsimile communication means to start transmission/reception of image data to/from the destination station, and causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

In view of the foregoing deficiencies of the applied art, amended independent Claims 1, 7 and 13 are believed to be allowable.

Rowe, Angell, Rosenberg, Wolff and Gewickey have all been studied, but none of those references are seen to teach anything that in any permissible combination with any of Kawabata, Camarillo and/or Brown, would have resulted in at least the features of a control unit/step that, if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, causes the facsimile communication means to start transmission/reception of image data to/from the destination station, and causing the converting means to execute conversion of the signal that the facsimile communication means transmits/receives to the VoIP data to transmit/receive thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by the IP address obtaining means.

No other matters having been raised, the entire application is believe to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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